

ST 02-0011-GIL 01/16/2002 EXEMPT ORGANIZATIONS

The United States State Department, Office of Foreign Missions, issues tax exemption identification cards to certain accredited diplomatic personnel and consular offices under the authority of the Foreign Missions Act (22 U.S.C. 4301 et seq.). These cards can be presented at point of sale to document exemption from sales tax. See 86 Ill. Adm. Code 130.2080(c) and 130.Illustration A. (This is a GIL).

January 16, 2002

Dear Xxxxx:

PERSON, an official with the OFFICE, has contacted us regarding a purchase of furniture he made from your business last December. PERSON states that he was charged sales tax at time of purchase despite showing his tax exemption card.

Please be advised that the United States State Department, Office of Foreign Missions, issues tax exemption identification cards to certain accredited diplomatic personnel and consular officials under the authority of the Foreign Missions Act (22 U.S.C. 4301 et seq.). These cards are valid nationwide and can be presented at point of sale to document exemption from sales tax. See 86 Ill. Adm. Code 130.2080(c) and 130.Illustration A, enclosed, for examples of the various diplomatic exemption cards. Please refer to the enclosed copy of Informational Bulletin FY 98-27 for information about how a retailer should report and document such an exempt purchase.

PERSON submitted a copy of his card to us. It is a valid exemption card. PERSON was entitled to exemption from sales tax upon his purchase of the furniture.

We have also enclosed a copy of 86 Ill. Adm. Code 130.1501 concerning Claims for Credit. Claims for credit shall state the requirements that are contained in subpart (b) of the regulation. Claims for credit are available when a business shows that it paid tax to the Department as a result of a mistake of fact or error of law. The documentation that PERSON has submitted to us is sufficient to establish that his purchase of the tangible personal property was exempt.

In your situation, you can refund the amount of tax collected from PERSON and then file a claim for credit with the Illinois Department of Revenue. Your repayment of the tax to PERSON will satisfy the requirement of Section 130.1501(a)(2).

We are also contacting PERSON to explain the tax exempt status of his purchase. We appreciate your cooperation in resolving this matter.

Very truly yours,

Keith Staats
General Counsel

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Enc.